



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
EDISON, NEW JERSEY 08817

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Dr. Marwan M. Sadat, Administrator  
Hazardous Site Mitigation Administration  
The New Jersey Department of Environmental  
Protection  
Division of Waste Management  
1911 Princeton Avenue  
Trenton, New Jersey 08625

Dear Dr. Sadat:

This is in response to the verbal request by Edwin Liu of your staff, regarding CERCL Act funding for the ~~Duane Marine~~ facility in Perth Amboy. *file*

At present, the site does not meet the criteria for immediate removal/planned action under the authority of Superfund (the CERCL Act), based on the current EPA Headquarters Removal Guidance. We therefore will not be initiating any removal action under Superfund. On two recent site visits by members of my staff no signs of leaking drums were found, many of the tank trucks sounded empty and there were no visual signs of contamination (i.e., oil, solvents) entering the Arthur Kill.

The site appears to have an unlimited access. Currently, the front gate is left open and a few sections of fencing are missing, which could allow access by children. This situation, however, in and of itself does not meet the criteria for Superfund removal. It also does not seem to be a unique situation in this neighborhood. The adjoining property is also unsecured and contains drums and cylinders (of unknown substances/quantities).

If the state provides information indicating that this site meets the criteria for immediate/planned removals (see attachment), we would reconsider whether removal funding is appropriate.

I otherwise encourage the state to take any action it deems necessary at this site through whatever means are available to it.

Sincerely yours,

Fred N. Rubel  
Chief  
Emergency Response & Hazardous  
Materials Inspection Branch